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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL: WORK OF THE SANCTIONS COMMITTEES

I. The President of the Security Council wishes to state that all members of the Security Council have indicated their agreement that the following practical proposals will be used to improve the work of the sanctions committees in accordance with the resolutions concerned.

1. The sanctions committees should establish appropriate arrangements and channels of communication with organs, organizations and bodies of the United Nations system, as well as other intergovernmental and regional organizations, neighbouring countries and other countries and parties concerned, in order to improve the monitoring of the implementation of sanctions regimes and the assessment of their humanitarian consequences on the population of the target State and their economic consequences on neighbouring and other States.

2. The Chairpersons of the sanctions committees should make visits to the regions concerned, as appropriate, in order to obtain first-hand accounts of the impact of sanctions regimes and the results and difficulties in their implementation.

3. Member States should provide the sanctions committees with all information available on alleged violations of arms embargoes, and other sanctions regimes. Sanctions committees should seek to clarify all cases of alleged violations.

4. The Secretariat should be requested to provide the sanctions committees with information from published sources, radio, television or other media concerning alleged violations of the sanctions regimes or other issues relevant to the activities of the committees.

5. The guidelines of the sanctions committees should include clear provisions for strict action to be taken by the committees on alleged violations of the sanctions regimes.

6. The sanctions committees should, as far as possible, harmonize their guidelines and routines of work.

7. The technical effectiveness of the mandatory measures should be periodically assessed by the sanctions committees on the basis of inputs from

Member States, reports prepared by the Secretariat and other available sources of information.

8. The practice of hearing technical presentations of information by organizations assisting in the enforcement of Security Council sanctions during closed meetings of the sanctions committees should be continued. The target or affected countries, as well as concerned organizations, should be better able to exercise the right of explaining or presenting their points of view to the sanctions committees, while taking fully into consideration current committee practices. The presentations should be expert and comprehensive.

9. The Secretariat should be requested to provide, whenever necessary, its assessment of the humanitarian and economic impact of sanctions to the sanctions committees.

10. Periodic meetings of the sanctions committees should be held for discussions on the humanitarian and economic impact of sanctions.

11. The sanctions committees should monitor, throughout the sanctions regime, the humanitarian impact of sanctions on vulnerable groups, including children, and make required adjustments of the exemption mechanisms to facilitate the delivery of humanitarian assistance. The indicators for assessment developed by the Secretariat could be used by the committees.

12. The sanctions committees should consider and monitor the possible impact of sanctions on the diplomatic efforts towards implementing Security Council resolutions and make required adjustments on the exemption mechanisms as appropriate.

13. In discharging their mandates, the sanctions committees should as much as possible seek to utilize the expertise and practical assistance of Member States, United Nations agencies, regional organizations and all humanitarian and other relevant organizations.

14. United Nations agencies as well as humanitarian organizations and other relevant organizations should benefit from special, simplified procedures in requesting humanitarian exemptions, in order to facilitate the implementation of their humanitarian programmes.

15. Consideration should be given to how humanitarian organizations could have the possibility to apply for humanitarian exemptions directly to the sanctions committees.

16. Foodstuffs, pharmaceuticals and medical supplies should be exempted from United Nations sanctions regimes. Basic or standard medical and agricultural equipment and basic or standard educational items should also be exempted. Consideration should be given to the drawing up of lists for that purpose. Other essential humanitarian goods should be considered for exemption. In this regard, it is recognized that efforts should be made to allow the population of the targeted countries to have access to appropriate resources and procedures for financing humanitarian imports.

17. Sanctions committees should consider ways to ensure that exemptions to sanctions regimes on religious grounds be made more effective.

18. The transparency of the sanctions committees' work should be increased, inter alia, through substantive and detailed briefings by the Chairpersons.

19. Summary records of the sanctions committees' formal meetings should be made available promptly.

20. Public information on the sanctions committees' work should be made available on the Internet and other means of communication.

II. The members of the Council will continue their consideration of ways to improve the work of the sanctions committee.

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LETTER DATED 29 JANUARY 1999 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instruction from my Government, I have the honour to transmit herewith the text of a statement adopted by the Ministry of Foreign Affairs of the Republic of Azerbaijan on 29 January 1999 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Eldar KOULIEV
Permanent Representative

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Annex

[Original: Russian]

Statement issued on 29 January 1999 by the Azerbaijani Ministry of Foreign Affairs

In February 1997, international public opinion got wind of massive deliveries of Russian weapons made between 1994 and 1996, unknown to the President and Government of the Russian Federation, to the Armenian Republic which had embarked on military aggression against the Azerbaijani Republic.

The Azerbaijani party was more particularly concerned by the fact that, as we have learnt, these deliveries of weapons, particularly heavy armoured vehicles and tactical Scud missiles, had assumed exceptional proportions following the conclusion, on 12 May 1994, of a ceasefire agreement between Azerbaijan and the Republic of Armenia, which agreement Azerbaijan respects scrupulously, notwithstanding the fact that the Republic of Armenia continues to occupy Azerbaijan's territory.

In the statement it issued on that subject on 21 February 1997, the Ministry of Foreign Affairs of the Azerbaijani Republic drew the attention of the international community and the leaders of the Russian Federation to the fact that these illegal actions were in violation of the relevant resolutions of the United Nations Security Council and of the decisions of the Organization for Security and Cooperation in Europe regarding the conflict between Armenia and Azerbaijan, all of which banned deliveries of weapons to the States involved in the dispute, for those deliveries of weapons encouraged the escalation and continuation of the occupation of Azerbaijani territory. Furthermore, it was indicated that deliveries of Russian military matériel to Armenia were contrary to the Convention on Conventional Weapons in Europe. They undermined the authority of the Russian Federation in its capacity as mediator of the settlement of the dispute between Armenia and Azerbaijan.

Since the deliveries of Russian weapons to Armenia came to light, the Russian Federation has tried to conduct investigations into the matter. In particular, the State Duma of the Russian Federation, after having devoted a special debate to the issue, asked its Committees on Defence, Security, and Commonwealth of Independent States and ties with fellow citizens to conduct a thorough investigation into the facts surrounding the illegal deliveries. In its statement of 14 March 1997, the Ministry of Foreign Affairs of the Azerbaijani Republic expressed the hope that the investigation would lead to the disclosure of the identity of those officials who had been involved in the illegal activity regarding the deliveries of Russian weapons to Armenia, that these activities would be dealt with appropriately at the legal and political level and that the necessary steps would be taken to have the weapons withdrawn from the Republic of Armenia.

On 11 April 1997, the State Duma of the Russian Federation, having heard the report of the Chairman of the Defence Committee, Mr. L. Rokhlin, on the illegal deliveries of weapons and military matériel valued at one billion United

States dollars to Armenia, adopted a resolution entitled "Measure to enforce the legislation of the Russian Federation concerning deliveries of weapons and military matériel to foreign States".

In this resolution, the State Duma requested the President of the Russian Federation, Mr. Boris Yeltsin, to take the necessary political and diplomatic steps to forestall the complications which might arise between States on the occasion of illegal deliveries of weapons and military matériel to Armenia, and to take detailed measures to prohibit similar violations of the legislation concerning deliveries of weapons involving other countries and to hold individuals who permitted such violations personally responsible.

The State Duma of the Russian Federation also asked the Attorney-General of Russia to verify the violations of the legislation on deliveries by Russia of weapons and military matériel to Armenia and the cases where members of the armed forces of the Russian Federation might have used their official functions for reprehensible purposes.

On 17 December 1997, Mr. E. Primakov who was then Minister for Foreign Affairs of the Russian Federation, acting on instructions from President Boris Yeltsin made a statement in which he set forth the official position of the Russian Federation regarding the conclusion, in 1997, between the Russian Federation and Armenia of a treaty of friendship, cooperation and mutual assistance which contained, inter alia, an article on military cooperation and military assistance between the two States. He indicated in that statement that "the Russian-Armenian treaty was not directed against Azerbaijan and would never be used to benefit those who are hostile to the territorial integrity of Azerbaijan".

It was also indicated in that statement that the leaders of the Russian Federation drew attention to the fact that "calls are being made at the present time, especially in Nagorny Karabakh, for a settlement of the conflict that has been going on for many years between Armenia and Azerbaijan by military means".

In its statement of 19 September 1997, the Ministry of Foreign Affairs of the Azerbaijani Republic deemed the statement by Mr. Primakov to be positive. However, it was again pointed out that during the preparation of the Russian-Armenian treaty no account had been taken of the possible negative consequences of the implementation of the Treaty both on the process of the peaceful political settlement of the conflict between Armenia and Azerbaijan and on bilateral relations between Azerbaijan and the Russian Federation. In its statement the Azerbaijani Ministry of Foreign Affairs expressed the hope that all the obligations stemming from the Russian-Armenian treaty would not enter fully into effect until an overall settlement had been reached to the armed conflict between Armenia and Azerbaijan, which settlement presupposed the liberation of all the occupied territories of the Azerbaijani Republic, the repatriation of refugees and displaced persons and the normalization of relations between Azerbaijan and Armenia.

Unfortunately, as it turns out, not one of the initiatives taken in the Russian Federation to look into the facts concerning the massive illegal deliveries of Russian weapons to Armenia has been completed and therefore not

one has had any result whatsoever. What is more, the deliveries of weapons to Armenia are continuing, this time openly and legally. Subsequently, the statements by officials of the Russian Federation claiming that military cooperation between Russia and Armenia was not directed against Azerbaijan have quite simply not been confirmed. That is the conclusion to be drawn from the articles of the treaty concluded between the Russian Federation and the Republic of Armenia which have been supplemented by more than 20 agreements on cooperation in the political and military fields and in that of military facilities.

These conclusions are also borne out by the visit made to Armenia on 14 and 15 July 1998 by the Minister of Defence of the Russian Federation, Mr. I. Sergeyev; during which the results of the coordination of the future cooperation plans regarding military and military facilities were officially announced and the timing and budgets were determined; also determined were the further development of the Russian military base in Armenia and its cooperation with the armed forces of that country including the improvement of a system of unified air defence system based, inter alia, on the deployment of S-300 surface-to-air missile batteries; the plans for delivering modern weapons to Armenia, which provided, inter alia, for the modernization of the equipment of the 102nd Russian military base, joint military exercises in the presence of the Ministers of Defence of Russia and Armenia on a training ground not far from Erevan and plans for the reinforcement of Russian military troops in Armenia by reducing Russian forces in Georgia.

In its statement of 18 July 1998, adopted following the visit to Armenia by the Russian Minister of Defence, the Ministry of Foreign Affairs of the Azerbaijani Republic indicated that Azerbaijan was concerned, and not without cause, about plans to strengthen the strategic military union between the Russian Federation and Armenia, which cause a serious threat to hang over the process to find a settlement as soon as possible and by peaceful means to the conflict between Armenia and Azerbaijan and, more generally, over the security of the Azerbaijani Republic, and cast a shadow on the role of Russia as mediator of a settlement.

On 29 July 1998, the Director of the Department of International Military Cooperation of the Ministry of Defence of the Russian Federation, General L. Ivachov, made a statement in which he confirmed the plans of Russian military leaders to replenish the military matériel of the 102nd Russian military base established on the territory of Armenia and, particularly, to strengthen operational coordination of the military machinery of the two countries.

In the statement it issued on the occasion of General Ivachov's visit, the Ministry of Foreign Affairs of the Azerbaijani Republic indicated that the frank and unambiguous statements by the above-mentioned military official of the Russian Federation strengthened Azerbaijan's apprehension regarding the purpose of this new phase of political and military cooperation between Russia and Armenia, which had thus been lifted to a qualitatively different strategic level.

It was indicated in the statement that that was the first time that it had been acknowledged in Russia at so high an official level that all past and present deliveries of military weapons to Armenia had but a single purpose, namely, to strengthen that country's military potential and to enable it to obtain strategic military superiority over Azerbaijan. The qualitative replenishment and expansion of the military capacities of the Russian base, the strengthening of operational coordination between Russian military forces and the Ministry of Defence of Armenia and the continued deliveries of weapons to Armenia left no doubt as to the true intentions of the leaders at the Ministry of Defence of Russia regarding shifting the military-strategic balance in the zone of the conflict between Armenia and Azerbaijan and throughout the region in favour of Armenia.

On 15 and 16 December 1998, the Commander-in-Chief of the Air Force of the Russian Federation, General A. Kornukov, paid a visit to Armenia during which further agreements were concluded in the area of military cooperation between the Russian Federation and Armenia. The visit was an occasion for examining specific technical questions raised by the considerable strengthening of the 102nd military base established in Armenia, the new aircraft unit to be supplied to that base, the improvement of the operation of the unified air defence system which was to be equipped with modern armaments, including S-300 surface-to-air missile batteries, and questions concerning of the permanent deployment in the territory of Armenia of Russian Mig-29 aircraft. In Baku, the frank statements by General Kornukov did not pass unnoticed; it was clear that the Russian-Armenian military units might be used against both Turkey and Azerbaijan.

In the statement it issued on 19 December 1998 on the occasion of the visit of General Kornukov to Erevan and the further military agreements concluded between Russia and Armenia, the Ministry of Foreign Affairs of the Azerbaijani Republic pointed out that Azerbaijan was following with concern the expansion of the Russian military presence in Armenia and in the entire southern Caucasus region and saw it as a factor in the tension which not only was not contributing to but was hampering the establishment of peace, stability and security throughout the political area stretching from the Caspian Sea to the Black Sea.

Azerbaijan considers the military cooperation between Russia and Armenia and the Russian military presence in Armenia as a threat to its security particularly since the Russian military base is being used to strengthen the military means of the Armenian armed forces and since the military personnel of that base is being used in the context of the armed aggression waged by the Republic of Armenia against the Azerbaijani Republic. Azerbaijan believes that the strengthening of Russia's military presence in Armenia may have unforeseeable consequences for the region and beyond.

The many statements issued by officials of the Russian Federation stating that the Russian military base in Armenia is not directed against Azerbaijan are not credible. Accordingly, the following question must be asked: Why is Russia maintaining a military base in Armenia, a country with which it does not even have a common border? In order to ward off a possible threat from Iran? But Russia's relations with that country are very good. To ward off a threat from Turkey? But if Russian officials are to be believed, these two countries have good-neighbourly and friendly relations.

We sometimes hear it said in the Russian Federation, including at the official level, that the Russian military base in Armenia is a means of checking the shadow that NATO casts on Russia. But everyone knows that the Alliance is expanding to the west of the Russian Federation, that is to say thousands of kilometres away from Armenia.

The strengthening of the military and strategic cooperation between Russia and Armenia, the continued deliveries of military matériel to Armenia, which merely serve to strengthen the latter's military potential, and the inaction, not to say the paralysis, of the trilateral committee for the settlement of the problem of weapons deliveries point to a different conclusion: these facts demonstrate that there are certain forces in the Russian Federation which are plotting in the corridors of power and which are managing to systematically carry out plans to reduce to zero the efforts made to put an end to the arming of Armenia, to settle the conflict between Armenia and Azerbaijan by peaceful means, to improve relations between the Russian Federation and Azerbaijan and to strengthen the role of Russia as a mediator with a view to the settlement of the conflict.

The Ministry of Foreign Affairs of the Azerbaijani Republic is authorized to state that all the foregoing considerations are cause for deep concern to the Azerbaijani public opinion and are forcing the Azerbaijani leaders to consider measures that would guarantee the country's security and defend its independence and sovereignty.